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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Amendment of the Commission's Rules Regarding a  
Plan for Sharing the Costs of Microwave Relocation  
(WT Docket No. 95-157)

Dear Mr. Caton:

COMSAT Corporation ("COMSAT") hereby replies to the comments filed November 30, 1995, in the above-captioned proceeding concerning the Notice of Proposed Rulemaking ("NPRM") in WT Docket No. 95-157.<sup>1</sup> As an investor in the planned ICO Global Communications satellite system which will provide global mobile satellite services ("MSS") in the 2 GHz bands, COMSAT has an interest in proceedings which affect the allocation and use of spectrum by MSS systems at 2 GHz. We are concerned that the Commission might, as only the comments of AT&T Wireless Services, Inc. ("AT&T") appear to suggest,<sup>2</sup> extend the rules that it devises in this docket to global MSS systems operating at 2 GHz without the development of an adequate record on MSS/microwave interference, relocation and cost-sharing issues.

The NPRM in this proceeding focuses exclusively on reimbursement issues which have arisen in the immediate context of negotiations for the relocation of microwave facilities by personal communications services ("PCS") licensees. The cost-sharing plan proposed by the FCC is intended to allow PCS licensees that incur costs to relocate microwave links to receive reimbursement from other PCS licensees that benefit from the resulting clearing of the spectrum. There is no discussion in the NPRM, nor elsewhere in the comments in this proceeding, as to how this cost-sharing mechanism, or other aspects of the FCC's proposed relocation guidelines, would apply to global MSS systems. Indeed, there is only passing reference in the NPRM as to whether the amended rules should apply to other emerging technology services,<sup>3</sup> and AT&T by its footnote comment, is the lone party to have addressed the issue.

<sup>1</sup> Amendment of the Commission's Rules Regarding a Plan for Sharing the Costs of Microwave Relocation, (WT Docket No. 95-157), released Oct. 13, 1995 ("NPRM").

<sup>2</sup> See Comments of AT&T, WT Docket No. 95-157, at 11.

<sup>3</sup> NPRM at para. 3.

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Moreover, we believe that it is more appropriate for the Commission to consider MSS/microwave relocation and cost-sharing issues as part of ET Docket No. 95-18, in which the Commission has proposed to allocate spectrum at 2 GHz for global MSS uplinks (1990-2025 MHz) and downlinks (2165-2200 MHz).<sup>4</sup> In the latter proceeding, COMSAT and other MSS proponents have opposed the FCC's proposal that MSS licensees pay to relocate existing users in both the MSS uplink and downlink bands. Our Comments in ET Docket No. 95-18 demonstrate that the relocation of microwave facilities is not necessary because MSS systems can share MSS downlink spectrum with existing microwave users.<sup>5</sup> In addition, we have shown that the proposed microwave relocation could cost the MSS industry a staggering \$3.0 billion. Because these comments are currently pending before the Commission, it is unclear what, if any, relocation rules will be adopted regarding MSS systems.<sup>6</sup> Consequently, it would be premature for the Commission to apply the rule clarifications proposed in the instant proceeding to MSS systems when the framework for MSS/microwave system interference, relocation and reimbursement has yet to be established.

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<sup>4</sup> See Amendment of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile-Satellite Service, ET Docket No. 95-18, released January 31, 1995.

<sup>5</sup> See e.g., Comments of COMSAT Corporation, ET Docket No. 95-18, filed May 5, 1995.

<sup>6</sup> We note that the actions taken at the recent 1995 World Radio Conference, including the allocation of spectrum at 2 GHz for global MSS systems, the advancement of the dates of access to this spectrum and the recommendation that MSS and microwave systems share 2 GHz spectrum beginning in the year 2000, present the Commission with a further opportunity to consider the MSS/microwave relocation and compensation issues raised in the domestic 2 GHz allocation proceeding.

Accordingly, for the reasons given above, COMSAT respectfully requests that the Commission refrain from applying the PCS/microwave relocation rule clarifications adopted in this proceeding to MSS systems operating in the emerging technology bands at 2 GHz.

Respectfully Submitted,

COMSAT Corporation

A handwritten signature in cursive script, reading "Nancy J. Thompson", followed by a horizontal line.

Nancy J. Thompson  
General Attorney  
COMSAT International Communications

cc: Cathleen A. Massey  
Howard J. Symons  
Linda Kinney  
Sean White